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NHTSA-01-8677-46

National Highway Traffic  
Safety Administration  
Docket Management  
Room PL-401  
400 Seventh Street, SW  
Washington, DC 20590

**Docket No. NHTSA 2001-8677; Notice 1 RIN 2127-A125**

Dear Sir or Madam:

In the Federal Register of January 22, 2001 the National Highway Traffic Safety Administration (NHTSA) published an Advanced Notice of Proposed Rulemaking (ANPR) requesting comments on ways in which NHTSA could implement the "early warning requirements" of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. Webb Wheel Products, Inc. (Webb) manufactures wheels, hubs, brake drums and rotors for truck and trailers. Webb has reviewed the ANPR and submits responses to some of the questions raised by NHTSA in it. These are set forth below.

Webb does support the purposes of the TREAD Act to increase public safety through the establishment of effective and efficient reporting which will identify potential problems at an early stage. Webb submits that while an increased flow of information to NHTSA will be useful in minimizing those circumstances which caused Congress to enact the TREAD Act, there is a risk in having too much information which can overwhelm NHTSA's ability to process and evaluate data.

Webb's responses to NHTSA's questions are intended to assist it to achieve that balance.

#### Reporting

1. Should there be a cut off date for reporting (e.g., not require it regarding vehicles or equipment that are older than some specified age)? If so, what age or ages?
  - A. Reporting should be keyed to life expectancy and experience with the equipment. Ten years should be a reasonable period for reporting. If a product



has been in service for more than ten years, there is not likely to have a defect in material or workmanship.

2. Is there additional information or data beyond that mentioned in this notice that manufacturers should report to NHTSA that would assist in the identification of defects related to motor vehicles safety. For example, assembly plant quality reports, dealer feedback summaries, test fleet summary reports, fleet experience, and rental car company reports.

A. There is no additional data other than that requested that would be of benefit to early warning of identifying problems. The sources suggested in the question would not provide any additional assistance in identifying problems.

#### Claims

1. What is the appropriate definition of claim?

A. Our definition of a claim is broad as any request for product inspection or request for reimbursement for problems experienced with our products.

2. Should information about all claims involving serious injuries or deaths be submitted, or should there be some threshold?

A. Products that exceed threshold of problems are the only items that need to be reported.

#### Warranties

1. Should warranty data be reported? If so, are there specific categories which should be included or excluded?

A. Warranty data could be meaningful in the early detection of problems. The data should only be required if the problems exceed some threshold or are deemed safety critical based on the historical experience of field data.

2. What thresholds, if any, would be appropriate with respect to specific vehicle components, systems, and equipment items, below which warranty information would not have to be reported to NHTSA? Should there be different thresholds for different components or systems?

A. There should be a threshold for reporting and the threshold should be different based on the field experience of the product and the severity level of potential failure of the product.

3. Should thresholds be based solely on claims rates, or should there be some absolute number of claims that would trigger a reporting requirement?  
  
A. The threshold should be based some on claim rate, but also on the severity level of the component. There should be various levels of threshold required for reporting.
4. What sorts of warranty information should be reported (e.g., make, model, model year, component)?  
  
A. The information for reporting must vary based on the manufacturer and the vehicles or components.
5. Are there warranty codes common to the motor vehicle industry? Passenger car industry? Heavy truck industry? Motor home industry? Child seat industry? Etc.?  
  
A. We are not aware of common warranty codes that are specific enough to our products to be of use within our company.
6. Should we require warranty data to be submitted using standardized codes? If so, what level of standardization would be appropriate?  
  
A. Standard warranty codes would require us to use two levels of coding to track our product. One for standardized reporting and the other more product specific for internal use. This would be burdensome.
7. In what form should we require warranty information to be submitted?  
  
A. Electronic format would be the most convenient for all concerned.

#### Lawsuits

1. Should information be provided about each lawsuit involving an alleged defect?  
  
A. The word "alleged" opens a whole new area of reporting because the lawsuits are not usually specific in identifying a component or defect.
2. If not, what threshold would be appropriate? Should there be different thresholds based on the component or system involved?  
  
A. The threshold level should be based some on claim rate, but also on the severity level of the component. There should be various levels of threshold required for reporting.

### Design Changes

1. Should information about design changes be provided? If so, should all changes be covered or only those relating to specified components or systems important to vehicle safety? If so, which components or systems?  
  
A. Information about design changes should not be required to be reported. Most design changes relate to manufacturing changes and would not be useful in identifying an early warning of defects. The information required under other categories is sufficient without requiring design changes to be reported.
2. Should different considerations apply to prospective-only running changes than to changes to service parts?  
  
A. We do not distinguish between service parts and production parts. All products are manufactured to the same standards and manufacturing tolerances.

### **Questions Relating to Deaths and Serious Injuries**

1. What systems for characterizing the seriousness of injuries are used in countries other than the United States? How do they relate to the AIS system?  
  
A. We are not familiar with the AIS system or other systems for characterizing injuries.
2. Are the AIS3 "serious" injury criteria appropriate? If not, what criteria are appropriate?  
  
A. See answer to question 1.
3. How shall it be determined whether a claim pertaining to an injury pertains to a serious injury? What assumptions should be made? If an initial claim does not allege a "serious" injury, should the manufacturer be required to report the claim later if it learns that the injury was serious or alleged to be serious?  
  
A. If various thresholds of reporting are implemented relating to severity, and if the severity awareness changes, then it is reasonable for the reporting to change.
4. Would manufacturers find it less burdensome to report to NHTSA all allegations of injury caused by a product defect?  
  
A. The initial allegations typically name all parts or components that could possibly be involved. Only after a component is known to be involved should reporting be required. It would not be less burdensome to report all alleged incidents.

5. What type of statistical data relating to property damage (including fire and corrosion) do manufacturers maintain? What corporate office is responsible for their maintenance? Is the answer different with respect to incidents and claims in foreign countries?  
  
A. The property damage data is only kept as a total number relating to the amount paid in claims.
6. How should this data be submitted to NHTSA to best warn of potential safety defects?  
  
A. This data could be used as a threshold trigger for reporting. The data itself would vary greatly depending on the type of product manufactured and subsequent use in the vehicle.

#### **Questions on Internal Investigations**

1. Should a manufacturer be required to report information on active investigations that it has initiated with respect to potential defects in its vehicles or equipment? How, if at all, should it be determined that these are safety related? What is the extent to which this information should be reported?  
  
A. Internal investigations are conducted to determine if a problem exists and, if so, the nature and scope of the problem. Reporting these investigations would hinder the nature and usefulness of internal investigations.
2. What is an appropriate definition of an internal investigation that should be reported to NHTSA?  
  
A. If an internal investigation shows that a problem does exist and if the nature of the problem is safety critical, then reporting would be appropriate. This level of reporting is already covered by the other categories.
3. Should manufacturers be required to report such investigations as soon as they are commenced? If not, at what point should the investigation be reported to NHTSA?  
  
A. A manufacturer should not be required to report internal investigations when the investigation commences, because it has not determined that a problem does exist, and has not determined the severity level. Reporting an internal investigation could delay the implementation of the investigation and delay determining that a problem does in fact exist, and delay correcting the problem. Any delay at this point makes the problem larger in scope and corrections more difficult.

x       x       x

Webb appreciates the opportunity to comment on the ANPR and anticipates that NHTSA's proposed regulation will effectuate the purposes of the Act but not be overly burdensome on the operations of the industry.

Respectfully,

A handwritten signature in cursive script that reads "Paul Levering (slc)".

Paul Levering  
Vice President Sales & Marketing